

**17-41-301 Proposal for creation of agriculture protection area or industrial protection area.**

- (1)
  - (a) A proposal to create an agriculture protection area or an industrial protection area may be filed with:
    - (i) the legislative body of the county in which the area is located, if the area is within the unincorporated part of a county; or
    - (ii) the legislative body of the city or town in which the area is located, if the area is within a city or town.
  - (b)
    - (i) To be accepted for processing by the applicable legislative body, a proposal under Subsection (1)(a) shall be signed by a majority in number of all owners of real property and the owners of a majority of the land area in agricultural production or industrial use within the proposed agriculture protection area or industrial protection area, respectively.
    - (ii) For purposes of Subsection (1)(b)(i), the owners of real property shall be determined by the records of the county recorder.
- (2) The proposal shall identify:
  - (a) the boundaries of the land proposed to become part of an agriculture protection area or industrial protection area;
  - (b) any limits on the types of agriculture production or industrial use to be allowed within the agriculture protection area or industrial protection area, respectively; and
  - (c) for each parcel of land:
    - (i) the names of the owners of record of the land proposed to be included within the agriculture protection area or industrial protection area;
    - (ii) the tax parcel number or account number identifying each parcel; and
    - (iii) the number of acres of each parcel.
- (3) An agriculture protection area or industrial protection area may include within its boundaries land used for a roadway, dwelling site, park, or other nonagricultural or, in the case of an industrial protection area, nonindustrial use if that land constitutes a minority of the total acreage within the agriculture protection area or industrial protection area, respectively.
- (4) A county or municipal legislative body may establish:
  - (a) the manner and form for submission of proposals; and
  - (b) reasonable fees for accepting and processing the proposal.
- (5) Each county and municipal legislative body shall establish the minimum number of continuous acres that shall be included in an agriculture protection area or industrial protection area.

Amended by Chapter 297, 2011 General Session